

SEP 03 2003

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

CATHY A. CATTERSON
U.S. COURT OF APPEALS

RAMON AVITIA-NUNEZ,

Petitioner,

v.

IMMIGRATION AND NATURALIZATION
SERVICE,

Respondent.

No. 02-71849

INS No. A76-702-972

MEMORANDUM*

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted August 25, 2003**
San Francisco, California

Before: GRABER, WARDLAW, and CLIFTON, Circuit Judges.

This case raises the same issues as Padilla v. Ashcroft, 334 F.3d 921 (9th Cir. 2003). For the reasons stated in that opinion, the petition is DENIED.

*/ This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by Ninth Circuit Rule 36-3.

** This panel unanimously finds this case suitable for decision without oral argument. Fed. R. App. P. 34(a)(2).